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BTXN 117a (rev. 10/02)

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF TEXAS

In Re:
Timothy Banks

Debtor(s)

FBN Finance, LLC

vs.

Timothy Banks

Defendant(s)

Case No.: 23–42293–mxm7

Chapter No.: 7

Adversary No.: 23–04088–mxm

#### SUMMONS IN AN ADVERSARY PROCEEDING

\$ \$ \$ \$ \$ \$ \$

To the above–named defendant:

You are hereby summoned and required to serve upon **Stephanie Elaine Kaiser**, Plaintiff's attorney (or if Plaintiff is not represented by counsel, upon Plaintiff), whose address is **Dickinson Wright PPLC** 

607 W Third Ave

**Suite 2500** 

**Austin, TX 78701**, either a motion or an answer to the complaint which is now served upon you. If you elect to respond first by motion, as you may pursuant to Fed. R. Bankr. P. 7012, that governs the time within which your answer must be served. Otherwise, you are required to serve your answer upon Plaintiff's attorney (or upon Plaintiff if Plaintiff is not represented by counsel) within 30 days of the date of issuance of this summons by the clerk (or by the following date prescribed by the court: N/A) except that the United States or an office or agency thereof shall serve an answer to the complaint within 35 days after the date of issuance of the summons.

{If this summons and complaint is served in a foreign country} Service of your answer must be made by the following date prescribed by the court N/A.

The motion or answer served by you must be filed with this court before service or within a reasonable time after service. IF YOU FAIL TO RESPOND IN ACCORDANCE WITH THIS SUMMONS, JUDGMENT BY DEFAULT WILL BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.

DATED: 11/14/23 FOR THE COURT:

Robert P. Colwell, Clerk of Court

by: /s/Jennifer Calfee, Deputy Clerk



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In Re: FBN Finance, LLC v. Banks Case No. 23–42293–mxm7 –7 Adv. No. 23–04088–mxm

## SUMMONS SERVICE EXECUTED

I, Stephanie E. Kaiser		
of** Dickinson Wright PLLC, 607 W 3rd	d Street, Suite 2500, Austin, TX 78	3701
certify:		
If service was made by personal service, and all times during service of process was, no which service of process was made;	by residence service, or pursuant to tless than 18 years of age and not	o state law, I further certify that I am, t a party to the matter concerning
That on the <u>16th</u> day of <u>Nov</u> within summons, together with the complaint		I served a copy of the
Timothy Banks		
the defendant in this proceeding, by <i>[describe]</i> USPS First Class Mail	here the mode of service}	
USPS First Class Mail		
the said defendant at		
Timothy Banks 1302 Deer Hollow Dr Arlington, TX 76002		
I certify under penalty of perjury that the foreg	going is true and correct.	
Executed on11/16/2023	/s/ Stephanie E. Kaiser	
(Date)	(Signature)	
** 607 W. 3rd Street, Suite 2500,	Austin, TX 78701	
State mailing address		

BTXN 117n (rev. 02/2015)

A copy of this *Notice to Litigants* should be served on the defendant along with the Summons and Complaint.

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF TEXAS

### **NOTICE TO LITIGANTS**

You have been named as a defendant in an adversary proceeding, the outcome of which could affect your bankruptcy discharge. Even if you have already received a discharge, this is a serious matter that you should not ignore.

Individual litigants are entitled to appear without an attorney and represent themselves in the Bankruptcy Court. However, the rules can be quite technical and failure to comply with the rules can have severe consequences. Before deciding to appear on your own, you should consider consulting an attorney. If you were represented in your chapter 7 or 13 bankruptcy case by counsel, you should notify that attorney that you have been named as a defendant.

If you cannot afford an attorney, you may be eligible for free legal representation through Legal Aid of NorthWest Texas (LANWT) or the Dallas Volunteer Attorney Program (DVAP). To determine if you are eligible, you must apply for legal representation at a regularly–scheduled neighborhood legal clinic. In addition, if you were recently represented by an attorney in a chapter 7 or 13 case, you should notify that attorney immediately.

Upon application at a neighborhood legal clinic, you will be screened for eligibility based on your current income and the availability of any other assets to pay for legal services. If it is determined that you are eligible, an attorney may be found who will represent you without payment of attorneys' fees. Please note that, even if you are eligible, you may still be responsible for the payment of costs, such as court reporter fees, deposition transcripts, court transcripts, postage and copies.

On the last page of this notice, you will find a list of neighborhood legal clinics, their locations, and the times they meet. When you make contact with DVAP or LANWT, please have your copy of the summons and complaint with you, as well as a copy of any *Schedule of Assets and Liabilities and Statement of Financial Affairs* filed in your bankruptcy case.

## **Neighborhood Legal Clinics**

#### **EAST DALLAS**

1st & 3rd Thursdays at 5:00 pm Grace United Methodist Church 4105 Junius at Haskell Dallas, TX 75246

#### FRIENDSHIP WEST BAPTIST CHURCH

3rd Wednesday at 5:30 pm 2020 West Wheatland Road Dallas, Texas 75232

#### WEST DALLAS

2nd & 4th Thursdays at 5:00 pm Wesley–Rankin Community Center 3107 N. Winnetka Dallas, Texas 75212

#### **SOUTH DALLAS**

1st, 2nd and 4th Tuesdays at 5:00 pm Martin Luther King, Jr. Center Core Services Building, 2922 Martin Luther King Blvd., Room 122 Dallas, Texas 75215

#### TRIANGLE NEIGHBORHOOD

3rd Tuesdays at 5:00 pm (excluding summer) St. Phillip.s Community Center 1600 Pennsylvania Avenue Dallas, Texas 75215

#### **GARLAND**

3rd Thursday at 5:00 pm (excluding December) Salvation Army Downtown Garland 457 W. Avenue D Garland, Texas 75040

#### **FORT WORTH**

3rd Tuesday at 5:00 pm (excluding December) Legal Aid of NorthWest Texas 600 E. Weatherford St Fort Worth, TX 76102

#### PLEASE TAKE NOTE

Clinics may be cancelled because of bad weather, federal holidays, or during elections. To confirm that a clinic will occur as scheduled, contact (214) 243–2247 for Dallas or Garland clinics, or (800) 955–3959 for Fort Worth clinics.

Please bring proof of income and residency, as well as a copy of the *Schedule of Assets and Liabilities and Statement of Financial Affairs* filed in your bankruptcy case and the summons and complaint. If you have been sued, please bring your legal documents.